



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

BDE PROCEDURE MEMORANDUM

NUMBER: 28-02

SUBJECT: Validity of Special Waste Assessment Results

DATE: July 1, 2002

This memorandum modifies the information in Section 27-2.07 of the BDE Manual. The changes addressed in this memorandum will be incorporated in the Manual in a future update.

Background

Section 27-2.07 of the BDE Manual currently recognizes that, in accordance with American Society for Testing and Materials (ASTM) standards, property audits for special waste/regulated substance contamination should only be considered valid for a period of six months.

Departmental Policy D&E-11 on "Identifying and Responding to Regulated Substances in Highway Project Development" provides that due care must be taken to ensure that the risks and liabilities posed by special waste/regulated substance contamination are appropriately recognized and considered in project decisions. To meet the intent of D&E-11, the results of prior examinations of the project area for special wastes/regulated substances should be validated prior to proceeding with key project decisions if more than six months have elapsed since the examinations were completed. The procedures in this memorandum provide guidance on the decision points and time frames for reevaluating and/or reinitiating project examinations for special waste/regulated substance contamination.

Applicability

The procedures in this memorandum are applicable to all State highway projects.

Procedures

If more than six months have elapsed since the last examination of a project for special waste/regulated substance contamination [i.e., District screening/sign-off or preliminary environmental site assessment (PESA)], the District must validate the examination results before proceeding with arrangements for

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further special waste/regulated substance investigations, before submitting draft or final environmental or Phase I engineering documents for approval, or before initiating land acquisition. (Examples of further special waste/regulated substance investigations would include PESA for projects covered by a District sign-off and preliminary site investigation (PSI) or remedial investigation/feasibility study (RI/FS) for projects covered by a PESA.) The validation review should include a check for new reported releases (lists provided or referenced by BDE) and new land uses of potential concern. If changes are identified, a PESA should be conducted to evaluate the new reported release(s) and/or new potential land use concern(s).

If three years or more have elapsed since the last examination for special waste/regulated substance contamination (District screening and sign-off or PESA), the entire project should be reevaluated as a new action prior to proceeding with arrangements for further special waste/regulated substance investigations, before submitting draft or final environmental or Phase I engineering documents for approval, or before initiating land acquisition. If a project was initially screened and cleared by the District, the reevaluation after three years may again consist of District screening and clearance, provided no changes have occurred in the project area that would alter the findings upon which the original clearance was based.

If a PSI was conducted for a project and five years or more have elapsed since it was completed, the entire project should be evaluated for regulated substances as a new action and a new PESA must be conducted prior to proceeding with the aforementioned project actions.

When validation of the results of special waste/regulated substance evaluations is necessary, the review should consider any changes in the proposed action, the affected environment, anticipated special waste/regulated substance involvement, and proposed measures for addressing the special waste(s)/regulated substance(s). For studies requested through BDE, sufficient detail must be provided to support a decision on whether a new PESA or PSI is necessary.

Engineer of Design and Environment

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